

### Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

1-29. (canceled)

30.(currently amended)      A substantially purified or isolated nucleic acid ~~or nucleic acid fragment~~ encoding a malate dehydrogenase (MDH) polypeptide; ~~a MDH-like polypeptide; or a functionally active fragment or variant of such a polypeptide;~~ from a clover (*Trifolium Trifolium*) species.

31.(currently amended)      ~~The~~A nucleic acid ~~or nucleic acid fragment~~ according to claim 30 wherein said nucleic acid or nucleic acid fragment is from white clover (*Trifolium repens Trifolium repens*).

32.(canceled)

33.(currently amended)      A nucleic acid ~~or nucleic acid fragment~~ comprising a nucleotide sequence selected from the group consisting of

- (a) ~~sequences shown in~~ SEQ ID NOS 205, 218, 252, 271, 276, 288, 293, 297, 302, 306, and 308;
- (b) full length complements of the sequences recited in (a);
- (c) full length sequences antisense to the sequences recited in (a) ~~or and~~ (b);
- (d) functionally active ~~fragments and variants~~ having at least approximately 95% identity to of the an entire sequences recited in (a), (b) ~~or and~~ (c); and
- (e) RNA sequences corresponding to ~~the an entire sequence~~ sequences recited in (a), (b), (c) ~~or and~~ (d).

34. (canceled)

35. (previously presented) A construct including a nucleic acid or nucleic acid fragment according to claim 30.

36-39. (canceled)

40.(currently amended) The ~~A~~ construct according to claim 35 wherein the nucleic acids or nucleic acid fragment is operably linked to one or more regulatory elements, such that the nucleic acid or nucleic acid fragment is expressed.

41.(currently amended) The ~~A~~ construct according to Claim 40, wherein the one or more regulatory elements include a promoter and a terminator, said promoter, nucleic acid or nucleic acid fragment and terminator being operably linked.

42.(previously presented) A plant cell, plant, plant seed or other plant part, including a construct according to claim 35.

43.(withdrawn) A plant, plant seed or other plant part derived from a plant cell or plant according to Claim 42.

44.(withdrawn) A method of modifying one or more selected from the group consisting of organic acid synthesis; organic acid secretion; nutrient acquisition; aluminium and acid soil tolerance; and nitrogen fixation and nodule function; in a plant, said method including introducing into said plant an effective amount of a nucleic acid or nucleic acid fragment according to claim 30.

45.(withdrawn) A method according to claim 44 wherein said method includes introducing into said plant an effective amounts of a nucleic acid comprising a sequence selected from the group consisting of the sequences shown in SEQ ID NOS 205, 218, 252, 271, 276, 288, 293, 297, 302, 306, and 308.

46-48.(canceled)

49.(withdrawn) A method according to claim 44 wherein the method is modifying nutrient acquisition and the nutrient is phosphorous.

50.(withdrawn) A substantially purified or isolated nucleic acid or nucleic acid fragment wherein the nucleic acid or nucleic acid fragment is a single nucleotide polymorphism (SNP) from a nucleic acid fragment according to claim 30.

51.(withdrawn) A nucleic acid or nucleic acid fragment including an SNP according to Claim 50, wherein said nucleic acid or nucleic acid fragment is from white clover (*Trifolium repens*).

52.(withdrawn) A substantially purified or isolated polypeptide from a clover (*Trifolium*); species, selected from the group consisting of MDH and MDH-like polypeptides; and functionally active fragments and variants thereof.

53. (withdrawn) A polypeptide according to Claim 52, wherein said polypeptide is from white clover (*Trifolium repens*).

54.(withdrawn) A polypeptide encoded by a nucleic acid or nucleic acid fragment according to claim 30.

55.(canceled)

56.(withdrawn) A polypeptide according to Claim 52, wherein said polypeptide comprises an amino acid sequence selected from the group consisting of sequences shown in SEQ ID NOS 206, 219, 253, 272, 277, 289, 294, 297, 303, 307 and 309 and functionally active fragments and variants thereof.

57.(canceled)

58.(currently amended)      The ~~A~~ construct according to claim 35, wherein the nucleic acid or nucleic acid fragment comprises a sequence selected from the group consisting of the sequences shown in SEQ ID NOS 205, 218, 252, 271, 276, 288, 293, 297, 302, 306, and 308.

59. (previously presented)      A plant cell, plant, plant seed or other plant part, comprising a construct including a nucleic acid or nucleic acid fragment according to claim 58.

60. (currently amended)      The ~~A~~ nucleic acid according to claim 33, comprising Seq. ID No. 271.

61. (currently amended)      The ~~A~~ construct according to claim 35, comprising Seq. ID No. 271.

62. (currently amended)      The ~~A~~ construct according to claim 40, comprising Seq. ID No. 271.

63. (currently amended)      The ~~A~~ plant cell, plant, plant seed or other plant part, comprising a construct according to claim 62.

64. (withdrawn)      A construct comprising two or more nucleic acids selected from the group consisting of:

- (a)      nucleic acids encoding citrate synthase (CS) polypeptide or a CS-like polypeptide;
- (b)      nucleic acids encoding a malate dehydrogenase (MDH) polypeptide or a MDH-like polypeptide;
- (c)      nucleic acids encoding a phosphoenolpyruvate carboxylase (PEPC) polypeptide or a PEPC-like polypeptide,

wherein the nucleic acids are from a clover (*Trifolium*), medic (*Medicago*), ryegrass (*Lolium*) or fescue (*Festuca*) species.

65. (withdrawn) A construct according to claim 64, wherein the construct comprises a nucleic acid encoding an MDH or an MDH-like polypeptide.

66. (withdrawn) A construct according to claim 65, wherein the nucleic acid encoding an MDH or MDH-like polypeptide is selected from the group consisting of the sequences shown in SEQ ID NOS 205, 218, 252, 271, 276, 288, 293, 297, 302, 306, and 308.

67. (withdrawn) A construct according to claim 65, wherein the construct comprises a nucleic acid encoding a PEPC or a PEPC-like polypeptide.

68. (withdrawn) A construct according to claim 67, wherein the nucleic acid encoding an MDH or MDH-like polypeptide is selected from the group consisting of the sequences shown in SEQ ID NOS 205, 218, 252, 271, 276, 288, 293, 297, 302, 306, and 308.

69. (withdrawn) A construct according to claim 67, wherein the construct comprises a nucleic acid encoding a CS or a CS-like polypeptide.

70. (withdrawn) A construct according to claim 69, wherein the nucleic acid encoding an MDH or MDH-like polypeptide is selected from the group consisting of the sequences shown in SEQ ID NOS 205, 218, 252, 271, 276, 288, 293, 297, 302, 306, and 308.

71. (withdrawn) A plant cell, plant, plant seed or other plant part, comprising a construct in accordance with claim 64.